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# HOUSE BILL No. 1277

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2-265.

**Synopsis:** Definition of "waters". Amends the definition of "waters" for environmental management purposes to exclude all private and off-stream ponds, reservoirs, and water pollution facilities. (Current law includes these in the definition of "waters" if a discharge from the pond, reservoir, or facility causes or threatens to cause water pollution.)

**Effective:** July 1, 2004.

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**Bottorff**

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January 15, 2004, read first time and referred to Committee on Environmental Affairs.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1277

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A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 13-11-2-265, AS AMENDED BY P.L.183-2002,  
2       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2004]: Sec. 265. (a) "Waters", for purposes of water pollution  
4       control laws and environmental management laws, means:  
5               (1) the accumulations of water, surface and underground, natural  
6               and artificial, public and private; or  
7               (2) a part of the accumulations of water;  
8       that are wholly or partially within, flow through, or border upon  
9       Indiana.  
10       (b) The term "waters" does not include a private pond or an  
11       off-stream pond, reservoir, or facility built for reduction or control of  
12       pollution or cooling of water before discharge. ~~unless the discharge~~  
13       ~~from the pond, reservoir, or facility causes or threatens to cause water~~  
14       ~~pollution.~~



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